



Rep. Chapin Rose

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09500HB5907ham002

LRB095 14797 WGH 48362 a

1 AMENDMENT TO HOUSE BILL 5907

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5907, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Illinois Vehicle Code is amended by  
6 changing Sections 7-201, 7-204, 7-212, and 11-406 and adding  
7 Section 11-406.1 as follows:

8 (625 ILCS 5/7-201) (from Ch. 95 1/2, par. 7-201)

9 Sec. 7-201. Application of Article II. The Administrator as  
10 soon as practicable after the receipt of the report, required  
11 to be filed under Sections 11-406 and 11-410, of a motor  
12 vehicle accident occurring within this State and that has  
13 resulted in bodily injury or death of any person or that damage  
14 to the property of any one person in excess of \$1,500 (or \$500  
15 if any of the vehicles involved in the accident is subject to  
16 Section 7-601 but is not covered by a liability insurance

1 policy in accordance with Section 7-601) ~~\$500~~ was sustained,  
2 shall determine:

3 1. Whether Section 7-202 of this Code requires the  
4 deposit of security by or on behalf of any person who was  
5 the operator or owner of any motor vehicle in any manner  
6 involved in the accident and;

7 2. What amount of security shall be sufficient to  
8 satisfy any potential judgment or judgments for money  
9 damages resulting from the accident as may be recovered  
10 against the operator or owner, which amount shall in no  
11 event be less than \$1,500 (or \$500 if any of the vehicles  
12 involved in the accident is subject to Section 7-601 but is  
13 not covered by a liability insurance policy in accordance  
14 with Section 7-601) ~~\$500~~.

15 (Source: P.A. 87-829.)

16 (625 ILCS 5/7-204) (from Ch. 95 1/2, par. 7-204)

17 Sec. 7-204. Form and amount of security - Definition.

18 (A) Any security required to be deposited under this Act  
19 shall be in the form as the Secretary of State may require by  
20 administrative rule, and in the amounts as the Administrator  
21 may determine to be sufficient to satisfy any judgment or  
22 judgments for damages against an operator or owner but in no  
23 case in excess of the limits specified in Section 7-203 of this  
24 Act in reference to the acceptable limits of a policy or bond  
25 nor for an amount less than \$1,500 (or \$500 if any of the

1 vehicles involved in the accident is subject to Section 7-601  
2 but is not covered by a liability insurance policy in  
3 accordance with Section 7-601) \$500.

4 (B) The person depositing security shall specify in writing  
5 the person or persons on whose behalf the deposit is made and,  
6 while at any time the deposit is in the custody of the  
7 Secretary of State or State Treasurer, the person depositing it  
8 may, in writing, amend the specification of the person or  
9 persons on whose behalf the deposit is made to include an  
10 additional person or persons; provided, however, that a single  
11 deposit of security shall be applicable only on behalf of  
12 persons, required to furnish security because of the same  
13 accident.

14 (C) Within 10 days after any security required under the  
15 provisions of this Article is deposited with the Secretary of  
16 State, the Secretary shall send notice of the security deposit  
17 to the following, if known:

18 1. To each owner and operator of any vehicle involved  
19 in the accident that sustained damage in excess of \$1,500  
20 (or \$500 if any of the vehicles involved in the accident is  
21 subject to Section 7-601 but is not covered by a liability  
22 insurance policy in accordance with Section 7-601) \$500;

23 2. To any person who sustained damage to personal or  
24 real property in excess of \$1,500 (or \$500 if any of the  
25 vehicles involved in the accident is subject to Section  
26 7-601 but is not covered by a liability insurance policy in

1 accordance with Section 7-601) ~~\$500~~;

2 3. To any person who was injured as a result of the  
3 accident; and

4 4. To the estate of any person killed as a result of  
5 the accident.

6 (Source: P.A. 87-829.)

7 (625 ILCS 5/7-212) (from Ch. 95 1/2, par. 7-212)

8 Sec. 7-212. Authority of Administrator and Secretary of  
9 State to decrease amount of security. The Administrator may  
10 reduce the amount of security ordered in any case within one  
11 year after the date of the accident, but in no event for an  
12 amount less than \$1,500 (or \$500 if any of the vehicles  
13 involved in the accident is subject to Section 7-601 but is not  
14 covered by a liability insurance policy in accordance with  
15 Section 7-601) ~~\$500~~, if, in the judgment of the Administrator  
16 the amount ordered is excessive, or may revoke or rescind its  
17 order requiring the deposit of security in any case within one  
18 year after the date of the accident if, in the judgment of the  
19 Administrator, the provisions of Sections 7-202 and 7-203  
20 excuse or exempt the operator or owner from the requirement of  
21 the deposit. In case the security originally ordered has been  
22 deposited the excess of the reduced amount ordered shall be  
23 returned to the depositor or his personal representative  
24 forthwith, notwithstanding the provisions of Section 7-214.  
25 The Secretary of State likewise shall have authority granted to

1 the Administrator to reduce the amount of security ordered by  
2 the Administrator.

3 (Source: P.A. 87-829.)

4 (625 ILCS 5/11-406) (from Ch. 95 1/2, par. 11-406)  
5 Sec. 11-406. Duty to report accident.

6 (a) The driver of a vehicle that is in any manner involved  
7 in an accident within this State, resulting in injury to or  
8 death of any person, or in which damage to the property of any  
9 one person, including himself, in excess of \$1,500 (or \$500 if  
10 any of the vehicles involved in the accident is subject to  
11 Section 7-601 but is not covered by a liability insurance  
12 policy in accordance with Section 7-601) ~~\$500~~ is sustained,  
13 shall, as soon as possible but not later than 10 days after the  
14 accident, forward a written report of the accident to the  
15 Administrator.

16 (b) Whenever a school bus is involved in an accident in  
17 this State, caused by a collision, a sudden stop or otherwise,  
18 resulting in any property damage, personal injury or death and  
19 whenever an accident occurs within 50 feet of a school bus in  
20 this State resulting in personal injury to or the death of any  
21 person while awaiting or preparing to board the bus or  
22 immediately after exiting the bus, the driver shall as soon as  
23 possible but not later than 10 days after the accident, forward  
24 a written report to the Department of Transportation. If a  
25 report is also required under Subsection (a) of this Section,

1 that report and the report required by this Subsection shall be  
2 submitted on a single form.

3 (c) The Administrator may require any driver, occupant or  
4 owner of a vehicle involved in an accident of which report must  
5 be made as provided in this Section or Section 11-410 of this  
6 Chapter to file supplemental reports whenever the original  
7 report is insufficient in the opinion of the Secretary of State  
8 or the Administrator, and may require witnesses of the accident  
9 to submit written reports to the Administrator. The report may  
10 include photographs, charts, sketches, and graphs.

11 (d) Should the Administrator learn through other reports of  
12 accidents required by law of the occurrence of an accident  
13 reportable under this Article and the driver, owner, or witness  
14 has not reported as required under Subsections (a), (b) or (c)  
15 of this Section or Section 11-410, within the time specified,  
16 the person is not relieved of the responsibility and the  
17 Administrator shall notify the person by first class mail  
18 directed to his last known address of his legal obligation.  
19 However, the notification is not a condition precedent to  
20 impose the penalty for failure to report as provided in  
21 Subsection (e).

22 (e) The Secretary of State shall suspend the driver's  
23 license or any non-resident's driving privilege of any person  
24 who fails or neglects to make report of a traffic accident as  
25 required or as required by any other law of this State.

26 (Source: P.A. 87-829.)".